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# Measure on gay rights gains

## Same-sex marriage ban killed by panel

By KYLE HENLEY
THE GAZETTE

DENVER • Gay-rights activists won two victories Tuesday at the Capitol.

House Concurrent Resolution 1002, a proposal to change the Colorado Constitution to ban gay marriages, was defeated in a House committee. A measure that bans discrimination against homosexuals in the workplace — Senate Bill 28 — advanced on the House floor.

2005 General Assembly

"Civil rights are about equal rights," said Rep. Alice Madden, sponsor of SB28. "If someone is doing their job, all things being equal, their employer should not be able to fire them because they are gay. That's all we are talking about."

The action on the two bills was a setback for social conservatives who often oppose gay rights for religious reasons.

Colorado already bars employers from discriminating on the basis of age, race, sex or religious affiliation. SB28 would add sexual orientation to that list.

Rep. Jim Welker, R-Loveland, noted that many of the protections are geared toward physical traits. He opposed the bill on grounds that sexual orientation does not fit into those categories.

"Sexual orientation, in my opinion, is a choice," Welker said. "People make choices on a lot of things. You can make choices to be an adulterer. You can make a decision to be a smoker."

Welker's comments earned open ridicule from members of his own party.

"I can't choose to be a homosexual, because I'm a heterosexual," said Rep. Al White, R-Winter Park, to Welker. "I'd be surprised if you could wake up tomorrow and be a homosexual. I'm not sure what you are talking about with regard to choice."

SB28 is expected to get a final vote in the House today and is expected to pass.

HCR1002, however, was never expected to move forward. Members of House Judiciary Committee voted 6-5 to defeat it.

The bill would have put a measure on the November ballot asking voters to approve an amendment to the constitution banning same-sex marriages. It also would have barred civil unions between same-sex couples.

"Really, that is marriage-light in my opinion," Rep. Kevin Lundberg, R-Berthoud, said of civil unions. "But my opinion is not the operative point. The point is that the people of Colorado should have the authority of this decision put in their hands."

The measure failed on a party-line vote, with Republicans voting for it and Democrats opposing it.

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